

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

**IN RE: YASMIN AND YAZ
(DROSPIRENONE) MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY
LITIGATION**) 3:09-md-02100-DRH-PMF
)
) MDL No. 2100
)
) **ORDER**

This Document Relates to:

*Amanda Wolcott v.
Bayer HealthCare Pharmaceuticals, Inc., et al.* No. 3:10-cv-12580-DRH-PMF

*Anna Korbut v.
Bayer HealthCare Pharmaceuticals, Inc., et al.* No. 3:10-cv-11793-DRH-PMF

**ORDER GRANTING PLAINTIFFS' MOTION TO DISMISS CERTAIN
DEFENDANTS WITH PREJUDICE**

HERNDON, Chief Judge:

The plaintiffs in the above captioned actions have filed motions to dismiss defendants Barr Laboratories (“Barr”), Inc. and Teva Pharmaceuticals USA, Inc. (“TUSA”) (*Wolcott* Doc. 14; *Korbut* Doc. 12). Counsel for plaintiff states that counsel recently learned that Ocella¹ was not on the market prior to each of

¹ The role of Barr and TUSA is explained in MDL 2100 Case Management Order 31:

Barr and TUSA distribute an authorized generic of the oral contraceptive product Yasmin® in the United States of America. The name of the authorized generic distributed by Barr and TUSA is Ocella®. Bayer Schering Pharma AG manufactures drospirenone and ethinyl estradiol, the progestin and estrogen contained in Yasmin® and Ocella®, and Schering GmbH & Co. Produktions KG creates the Yasmin® and Ocella® tablets. Ocella® is provided to Barr and TUSA for distribution in the United States by Bayer

the above plaintiff's alleged injury. Therefore the injuries plaintiffs allegedly sustained cannot be attributed to the use of Ocella. Plaintiffs therefore request that defendants Barr and TUSA be dismissed **with prejudice**. No defendant has responded to either motion to dismiss.

Accordingly, the Court **ORDERS** as follows:

Defendants, **Barr Laboratories Inc. and Teva Pharmaceuticals USA, Inc.**, are hereby **dismissed with prejudice**.

SO ORDERED



Digitally signed by David R. Herndon
Date: 2011.09.19 10:32:49 -05'00'

Chief Judge
United States District Court

Date: September 19, 2011

Schering Pharma AG pursuant to a certain Yasmin® Distribution and Supply Agreement by and between Bayer Schering Pharma AG and Barr, dated June 23, 2008.
(MDL 2100 Doc. 1659 II 2).